

30 April 1954

MEMORANDUM FOR THE RECORD

SUBJECT: Proposed Amendment to Public Law 600

1. On Friday morning, Mr. Walsh of the Bureau of the Budget called to say that he had received Mr. Pforzheimer's letter containing our comments on the draft bill of April 14 and to ask if we would have any objection to inclusion of this Agency as one of those specifically subjected to the weight limitations of the amended bill by Sub-section (e) on pages 1 and 2 of the April 14 draft.

2. After consultation with Mr. Warner, I informed Mr. Walsh this afternoon that this Agency would have no objection to its inclusion but that we would prefer, if possible, that the Agency not be named. I suggested wording along the line of "... Officers and employees under the Act of June 20, 1949..." and Mr. Walsh agreed that such wording would be satisfactory.

3. In view of our request to avoid express mention of the Agency, Mr. Walsh asked if this should apply to those sections in which portions of Section 5 of Public Law 110 are repealed. In Mr. Pforzheimer's letter, the request was made that certain sections of "The Central Intelligence Agency Act of 1949" be repealed. I agreed that, in the interests of uniformity, the citation should be changed to remove any mention of the Agency.


Office of General Counsel

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27 April 1954

Mr. Roger A. Jones
Assistant Director for
Legislative Reference
Bureau of the Budget
Washington 25, D. C.

Dear Mr. Jones:

This will acknowledge receipt of your letter of 15 April 1954, with which you enclosed a proposed draft of a bill "To further amend section 1 of the Administrative Expenses Act of 1946 and to repeal certain provisions relating to the transportation and storage of household goods and personal effects of officers and employees of the Government including members of the uniformed services."

The original draft of this legislation contained provisions which would have been detrimental to the special requirements of this Agency. We therefore requested that this Agency be exempted from its provisions, and the revised draft by the Bureau of the Budget contains this exemption. A careful study of the revised draft of 14 April indicates that the provisions which had led us to request the exemption have been amended and are now not inconsistent with our needs. Therefore, the exemption for CIA is no longer necessary. As it is the policy of this Agency to request exemption from general purpose legislation only if absolutely necessary to the carrying out of the Agency's statutory responsibilities, it is requested that the proviso clause (Section 2, subsection j) on page 6 of the draft be deleted, and that the authorities granted the Agency in these matters under Sections 5(a)(1)(D), 5(a)(1)(E) and 5(a)(4) of the Central Intelligence Agency Act of 1949 (63 Stat. 208, 209, 210; 50 USC, Sections 403 e(a)(1)(D), 403 e(a)(1)(E), 403 e(a)(4)), be specifically repealed. These sections authorize the Director of this Agency to provide for the storage of furniture and household effects of and to pay for the cost of transporting automobiles of officers and employees of the Agency. Their repeal would eliminate possible conflict with the provisions of the proposed bill.

OGC:WLP:TMF/cdg/blc

1 - Comptroller 1 - Legislative Counsel
1 - AD/P 1 - TMFord
1 - Logistics Office 1 - OGC
1 - DD/P(Admin)
1 - subject

Sincerely yours,

Walter L. Pforzheimer
Legislative Counsel

26 April 1954

Memorandum For: Acting Deputy Director (Administration)

Subject : Proposed Amendment of Administrative Expenses Act of 1946 (Public Law 606)

1. An earlier version of this proposed legislation was discussed within the Agency and with the Bureau of the Budget on 15 January 1954. One of the outstanding features of the January draft was the total prohibition against transportation of personal vehicles at Government expense. Since this prohibition in the opinion of the representatives of several Agency components with whom the matter was discussed would have created severe problems of an operational as well as employment nature at many CIA overseas installations it was requested that this Agency be exempted from the Act.

2. The present draft specifically exempts the Agency from the Act. The draft contains several provisions, however, which, if this Agency were subject to it, would grant broader authorities than are presently contained in the CIA Act of 1949. These include:

- a. The authority to store an employee's household goods for three months upon arrival at a new station, including the United States.
- b. The authority to pay storage of an employee's household effects to avoid the cost of transporting such effects to the new permanent duty station.
- c. The authority to ship private automobiles to any official duty station outside the United States, including territories and possessions.

You will remember that the Legislative Task Force in its final report

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also recommended that the Agency seek to secure authority to ship private automobiles to territories and possessions as well as foreign countries. The present draft retains the original provision of the January draft which prescribed a flat ceiling of 14,000 pounds, crated, on the amount of household goods which will be shipped at Government expense. Present regulations prescribe graduated maximum weights, depending on the grade of the employee, up to 18,000 pounds. The Logistics Office is of the opinion, however, that this reduction will restrict few if any of the Agency's employees.

3. The content of the present draft has been discussed with representatives of the Comptroller, the Assistant Director for Personnel, the Logistics Office, DD/P (Administration), and the office of the Acting Deputy Director (Administration). It is our opinion, shared by those with whom the matter has been discussed, that this Agency should consent to be included in the Act. This opinion is based upon the belief that CIA in its normal administrative operations should not be granted special authorities not granted to other agencies and that, where required by the peculiar operational needs of the Agency, adequate legal authority is contained in Section 11 of the CIA Act of 1949 to justify departure from whatever authority may be contained in this legislation as finally enacted. It is to be noted that this is one of the very few pieces of Federal legislation which attempts to embrace all Government personnel, both military and civilian, including the Foreign Service.

4. It is realized that the content of the Act may be altered by restriction during the course of its passage through the Congress. For this reason we recommend that the Legislative Counsel be instructed to follow the future course of the bill in order that timely remedial action may be taken if necessary.

LEGISLATIVE COUNSEL

5. Attached is a proposed letter from the ~~Director~~ to the Bureau of the Budget endorsing the legislation as presently drafted, but requesting that the exemption granted this Agency be removed and that Sections 5(a)(1)(D), 5(a)(1)(E) and 5(a)(4) of the CIA Act of 1949 be specifically repealed. These sections authorize the Director to provide for the storage of furniture and household effects of one to

pay for the cost of transporting automobiles of officers and employees of this Agency. It is recommended that this letter be forwarded to the Bureau of the Budget.

15/
[Redacted]
Office of General Counsel

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Attachment

OGC/TMF:cdg

cc: 1 - Comptroller
1 - AD/P
1 - Logistics Office
1 - DD/P (Admin)
1 - Legislative Counsel
1 - subject ✓
1 - signer ✓
1 - chrono